

Calendar No. 223

92D CONGRESS
1ST SESSION

S. 382

IN THE SENATE OF THE UNITED STATES

JULY 29, 1971

Ordered to lie on the table and to be printed

AMENDMENTS

Intended to be proposed by Mr. SCOTT to the amendment (numbered 308 proposed by Mr. PASTORE (for himself and others) to S. 382, a bill to promote fair practices in the conduct of election campaigns for Federal political offices, and for other purposes, viz:

1 On page 17, between lines 2 and 3, insert the following:

2 “SEC. 206. Chapter 29 of title 18, United States Code,
3 is amended by adding at the end thereof the following new
4 section:

5 “§ 614. **Extension of credit to candidates for Federal**
6 **office by certain industries**

7 “(a) Except as otherwise provided in subsection (b)
8 of this section, no person engaged in a business, the rates
9 and charges for which are regulated by the Civil Aeronautics

Amdt. No. 342

1 Board, the Federal Communications Commission, or the
2 Interstate Commerce Commission, shall furnish goods or
3 render services to a candidate, or to any other person who
4 is acting on behalf of such candidate, in connection with
5 his campaign for nomination for election, or election, to
6 Federal office unless such candidate or person (1) pays for
7 such goods or services in advance of their being furnished
8 or rendered, or (2) secures the debt so created in full by
9 property, bond, or other security.

10 “(b) In the case of any such business whose customary
11 practice is to submit statements to its customers at periodic
12 intervals requesting payment for goods furnished or services
13 rendered, such business shall not furnish goods or render
14 services to any such candidate or person, or to any other
15 person acting on behalf of such candidate in connection with
16 his campaign, so long as any debt owed by such candidate
17 or person for past goods furnished or services rendered in
18 connection with the campaign of such candidate remains
19 unpaid for more than ten days after the date such statement
20 is issued unless such debt is secured in full by property,
21 bond, or other security. In order to carry out the provisions
22 of this subsection, such business shall submit such statements
23 on a monthly basis to its customers who are candidates or
24 persons acting on behalf of a candidate in connection with
25 his campaign.

1 “(c) Any candidate who purchases goods or services
2 from any such business in connection with his campaign
3 for Federal office, and any person who purchases such goods
4 or services on behalf of such candidate in connection with
5 his campaign, shall identify himself as a candidate or as a
6 person acting on behalf of a candidate before purchasing
7 such goods and services and shall indicate that such goods
8 and services are being purchased in connection with the cam-
9 paign of such candidate.

10 “(d) For purposes of this section—

11 “(1) payment in advance by cash, check, money
12 order, or by credit card (if the issuer of such card is
13 not the person from whom such goods or services were
14 purchased, or a subsidiary, parent, or affiliate corpora-
15 tion thereof) shall be considered to be payment in ad-
16 vance; and

17 “(2) a person shall be considered to be acting on
18 behalf of a candidate if—

19 “(A) he is employed by such candidate or
20 by a political committee to act on behalf of such
21 candidate in connection with such candidate’s cam-
22 paign for nomination for election, or election, to
23 Federal office;

24 “(B) such candidate, or a political commit-
25 tee which makes expenditures to influence the nomi-

1 nation or election of such candidate, pays, directly
2 or indirectly, for goods and services purchased by
3 such person while so acting;

4 “(C) such person is acting under an agree-
5 ment with such candidate, or with a political com-
6 mittee which makes expenditures to influence the
7 nomination or election of such candidate, under
8 which he is to engage in activities in connection
9 with such candidate’s campaign for nomination for
10 election, or election, to Federal office; or

11 “(D) such person is acting as an agent of
12 such candidate, or of a political committee which
13 makes expenditures to influence the nomination or
14 election of such candidate, in connection with such
15 candidate’s campaign for nomination for election,
16 or election to Federal office.

17 “(e) The Civil Aeronautics Board, the Federal Com-
18 munications Commission, and the Interstate Commerce
19 Commission shall each promulgate its own regulations, with-
20 in ninety days of the effective date of this Act, in order to
21 carry out the provisions of this section with respect to
22 businesses regulated by it.

23 “(f) Violation of the provisions of this section, or
24 regulations promulgated under this section, is punishable

1 by a fine not to exceed \$1,000, imprisonment for not to
2 exceed one year, or both."

3 On page 17, line 3, strike "SEC. 206" and insert in lieu
4 thereof "SEC. 207".

5 On page 17, strike the matter between lines 10 and 11,
6 and insert in lieu thereof the following:

1 "611. Contributions by Government contractors.;"

7 (4) Adding at the end of such table the following:

8 "614. Extension of credit to candidates for Federal office by certain industries."

9 On page 27, line 21, strike out "SEC. 305." and insert
10 in lieu thereof "SEC. 305. (a)".

11 On page 28, between lines 4 and 5, insert the following:

12 "(b) (1) Any candidate, or person acting on behalf of
13 such candidate or as an agent of such candidate in connec-
14 tion with the campaign of such candidate for nomination for
15 election, or election, to Federal office, who purchases goods
16 or services in connection with such campaign from any
17 business the rates and charges for which are regulated by the
18 Civil Aeronautics Board, the Federal Communications Com-
19 mission, or the Interstate Commerce Commission, shall file
20 with the Comptroller General a statement disclosing—

21 "(A) the name of the purchaser and the name of
22 the candidate for the benefit of whose campaign the
goods or services were purchased;

1 “(B) a specific description of the goods or services
2 furnished and the quantity or measure thereof, if ap-
3 propriate;

4 “(C) any amount of the price of such goods or
5 services not paid in advance of their being furnished to
6 the purchaser;

7 “(D) any unpaid balance of the price of such goods
8 or services as of the reporting date;

9 “(E) a description of the type and value of any
10 bond, collateral, or other security securing such unpaid
11 balance; and

12 “(F) such other information as the Comptroller
13 General shall require by published regulation.

14 “(2) Reports required under paragraph (1) of this
15 subsection shall be filed on the dates on which reports by
16 political committees are filed, and shall be cumulative.

Amdt. No. 342

Calendar No. 223

92^d CONGRESS
1ST SESSION

S. 382

AMENDMENTS

Intended to be proposed by Mr. SCOTT to the amendment (No. 308) proposed by Mr. PASTORE (for himself and others) to S. 382, a bill to promote fair practices in the conduct of election campaigns for Federal political offices, and for other purposes.

JULY 29, 1971

Ordered to lie on the table and to be printed